

REMARKS

The present amendment is submitted in response to the Office Action dated October 29, 2007, which set a three-month period for response, making this amendment due by January 29, 2008,

Claims 1-19 are pending in this application

In the Office Action, the specification, drawings and claims were objected to for various informalities. Claims 1-19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,663,748 to Karbowiak et al in view of U.S. 2006/0153116 to Lida et al. Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over Karbowiak in view of Lida and further in view of U.S. Patent No. 4,530,085 to Hamada et al. Claims 1, 6-8, 10, 11, and 15-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,142,504 to Uzun in view of Karbowiak and Lida. Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Karbowiak and Lida and further in view of U.S. Patent No. 4,951,280 to McCool et al. Claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Karbowiak and Lida and further in view of U.S. Patent No. 4,516,121 to Moriyama et al. Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Karbowiak and Lida and further in view of U.S. Patent No. 6,400,682 to Regula. Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Karbowiak and Lida and

further in view of U.S. Patent No. 4,594,709 to Yasue. Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Karbowiak and Lida and further in view of U.S. Patent No. 7,283,740 to Kinoshita et al. Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Uzun in view of Karbowiak and Lida and further in view of U.S. Patent No. 4,539,655 to Trussel et al.

In the present amendment, the figures have been amended to address the objections. Specifically, amended Fig. 4 is included as well as new Fig. 4a, which is essentially identical to Fig. 4. However, Fig. 4a shows the bock 11 and 21 depicted in greater detail with the following features shown: 1, PLL; 2, optical receiver; 3, decoupling unit; and 4, edge detection. Fig. 11 shows the control motors (reference numeral 5).

The Applicants respectfully submit that no new matter has been added, since all of the features shown in the new or amended drawings was disclosed in the original specification.

The specification has been amended to add standard headings where necessary and a cross reference to the related priority documents.

With regard to the objection to the abstract, the Applicants are unclear as to the basis for this rejection, since no abstract was included when this application was originally filed. Therefore, a new abstract has been included with this amendment.

Claims 1-19 have been amended extensively to address the objections as well as the formal rejections under Section 112, second paragraph.

Turning now to the substantive rejections of the claims, claim 1 has been amended to more clearly define the invention over the cited art by defining that the one phase locked loop per communication path is configured for phase preparation of a received information signal.

The present invention utilizes single (separate) processing units 11 and 21 (Fig. 4) for each path 10, 20. In contrast, the primary reference to Karbowiak, as shown in Fig. 17, discloses one processing unit 94 used for the first and second path (14, 15) (see also Fig. 20 of Karbowiak). The single processing unit 94 has an input (Line Signal from Node) and an output (Line Signal to Node) for the first and the second path, while with the present invention, the units 11, 21 handle only one path.

With regard to the cited patent to Uzun, there are a number of distinctions between the present invention as this reference, including the following:

- Uzun does not disclose a phase locked loop;
- The present invention does not interpret IPS (column 7, lines 28 and column 4, lines 62) information through the paths to be switched;
- SRPF is a MUX with 3 inputs; the present invention utilizes an MUX with 2 inputs (12, 22; Fig. 4).

In addition, the present invention requires realtime processing, since it is used for set-point/actual-value processing (page 2, lines 15-16) in connection with drive control units (claim 12). Uzun does not disclose this kind of usage. Rather, Uzun appears to be a solution for host to host communication in computer networks (column 1, first paragraph).

Regarding claims 12 and 19 of the present application, the present invention uses the master/slave concept (central participant/secondary participants) (see Figs. 2 and 5 and corresponding description and the communication system is also used for realtime synchronization of the participants by generating a synchronization telegram via the central participant for the secondary participants. The second participants are, as a general rule, regulating devices (drive controllers) for motors. The present invention is designed especially for machine types discussed on page 2 of the specification that are driven by the drive systems of the present invention.

In the Office Action, the Examiner argues that the cited secondary reference to Lida discloses one phase locked loop per communication path in Section 0158 and that combining Lida with Karbowiak therefore renders obvious the present invention. The Applicants respectfully disagree. Lida specifically discloses in Section 1058 that a “multi-channel deserializer 230” that is able to deserialize substantially any number of channels of incoming serial data, one deserializer 232 for each channel, using only one PLL clock”. Lida therefore discloses using “one deserializer for each channel” and using one PLL clock for all such channels, NOT one phase locked loop (PLL) in each channel.

Lida therefore also does not disclose that the one phase locked loop is configured for phase preparation of a received information signal as defined in the amended claims.

Because amended claim 1 includes features that are not disclosed or suggested by the cited reference combination, the rejection under Section 103

must be withdrawn. It is respectfully submitted that since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a *prima facie* case of obviousness as clearly set forth in MPEP section 2143.01. When establishing obviousness under Section 103, it is not pertinent whether the prior art device possess the functional characteristics of the claimed invention, if the reference does not describe or suggest its structure. *In re Mills*, 16 USPQ 2d 1430, 1432-33 (Fed. Cir. 1990).

The applicant in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. However, Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



Michael J. Striker
Attorney for Applicant(s)
Reg. No. 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700